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LYLE CLEMENSON
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MAILED


AUG 17 2012

OFFICE OF PETITIONS

In re Application of: Lyle CLEMENSON :
U.S. Patent No. 5,623,978 :
Issued: April 29, 1997 : MISCELLANEOUS LETTER
Application No.: 08/688,692 :
Filed: July 29, 1996 :

Lyle Clemenson, the petitioner, telephoned the undersigned on August 14, 2012 to discuss the petition in the above-referenced file. Petitioner outlined the basic facts of the case and reiterated that he is a small business owner and has been in business for approximately 30 years. His business provides jobs in his community. A few years ago, he had to move his business since the property was taken by eminent domain. Additionally, he started another business during this time. Petitioner stated that he was relying upon the services of his patent attorney, Leo Gregory, to remind him that maintenance fees were due. Mr. Gregory was a sole practitioner. Unbeknownst to petitioner, Mr. Gregory past away and thus was unable to perform the service of tracking and paying the maintenance fee. Petitioner will attempt to retrieve evidence to show that Mr. Gregory had a system in place for tracking and paying the maintenance fee for this patent.

Finally, this interview summary is not a replacement for the decision mailed August 9, 2012. Petitioner must still address all of the issues presented in that decision. Petitioner should note that while an interview has been conducted, the burden of proof is on petitioner and it is petitioner that must produce the evidence that forms the basis for any decision. Such decision will be made only on the evidence of record.


Anthony Knight
Director
Office of Petitions